

Service Date: April 22, 1992

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER Of The Application) UTILITY DIVISION
Of The Town of Brockton To Increase) DOCKET NO. 92.1.4
Rates And Charges For Water Service) DEFAULT ORDER NO. 5618
In Its Brockton, Montana Service Area.)

* * * * *

ORDER GRANTING WATER RATE INCREASE APPLICATION

BACKGROUND

1. On January 28, 1992, the Town of Brockton (Applicant or Town) filed a petition with the Montana Public Service Commission (Commission) pursuant to Sections 69-13-101 et seq., MCA, for an order authorizing the Applicant to increase water rates in its Brockton, Montana service area. This increase will provide revenues to defray increased costs of operation and maintenance. The rate increase will generate approximately \$4,906 in additional annual revenues, or an increase of 41.6% in total annual revenues from water rates.

2. On March 12, 1992, the Commission issued a Notice of Opportunity For Public Hearing. A provision in that notice stated, "If no hearing or protest is requested by April 13, 1992, the Commission will consider the matter and an appropriate order may be issued."

FURTHER FINDINGS OF FACT

3. The Commission has received no protest or request for hearing.

4. On January 27, 1992, the Town Council of the Town of Brockton passed a resolution to request Commission approval of the proposed rates.

5. The Town needs additional revenue to meet operation and maintenance expenses.

6. The proposed rates will increase annual revenues by approximately \$4,906, or an increase of 41.6% in total annual revenues from water rates.

CONCLUSIONS OF LAW

1. The Applicant, the Town of Brockton, is a public utility as defined in Section 69-3-101, MCA. The Montana Public Service Commission properly exercises jurisdiction over municipal utility rate increase applications in excess of 12% in total annual revenues. Section 69-7-102, MCA.

2. The Commission has provided adequate public notice and an opportunity to be heard as required by Section 69-3-303, MCA, and Title 2, Chapter 4, MCA (Montana Administrative Procedures Act).

3. The rates and rate structure approved in this order are just and reasonable. Sections 69-3-201 and 69-3-330, MCA.

ORDER

IT IS HEREBY ORDERED THAT:

1. The rates as filed by the Town with its application are authorized.

2. The rates shall be effective for service rendered on and after April 20, 1992.

DONE IN OPEN SESSION at Helena, Montana on this 20th day of April, 1992, by a 5-0 vote.

BY THE ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

DANNY OBERG, Chairman

WALLACE W. "WALLY" MERCER, Vice Chairman

BOB ANDERSON, Commissioner

JOHN B. DRISCOLL, Commissioner

TED C. MACY, Commissioner

ATTEST:

Ann Peck
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM. •